

HOUSE No. 32

Accompanying the second recommendation of the Executive Office of Public Safety and Security
(House, No. 30). The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine.

AN ACT RELATIVE TO THE CRIMINAL HISTORY SYSTEMS BOARD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 168 of chapter 6 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by striking out the fourth and sixth paragraphs.

3 SECTION 2. Said chapter 6 is hereby amended by inserting after section 168 the following
4 section:—

5 Section 168 ½. There shall be within the executive office of public safety and security a
6 Massachusetts public safety information center, hereinafter called the center. The center shall
7 provide for and exercise control over the installation, operation and maintenance of data
8 processing and data communication systems, hereinafter called the criminal justice information
9 system. Said system shall be designed to ensure the prompt collection, exchange, dissemination
10 and distribution of such criminal offender record information as may be necessary for the
11 efficient administration and operation of criminal justice agencies, and to connect such systems
12 directly or indirectly with similar systems in this or other states. The secretary of public safety
13 and security shall appoint a commissioner who shall be classified in accordance with section 45
14 of chapter 30 and the salary shall be determined in accordance with section 46C of said chapter
15 30. Such commissioner shall not be subject to the provisions of chapter 31 or section 9A of
16 chapter 30. Said commissioner shall be responsible for all data processing, for the management
17 of the automated criminal offender record information and teleprocessing system, for the
18 supervision of all personnel associated with said system and for the appointment of all such
19 personnel. The commissioner may appoint such other employees, including experts and
20 consultants, as he deems necessary to carry out the center's responsibilities, none of whom shall
21 be subject to the provisions of chapter 31 or of section 9A of chapter 30.

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22 The center is authorized to enter into contracts and agreements with, and accept gifts, grants,
23 contributions, and bequests of funds from, any department, agency, or subdivision of federal,
24 state, county, or municipal government and any individual, foundation, corporation, association,
25 or public authority for the purpose of providing or receiving services, facilities or staff assistance
26 in connection with its work. Such funds shall be deposited with the state treasurer and may be
27 expended by the center in accordance with the conditions of the gift, grant, contribution, or
28 bequest, without specific appropriation.

29 SECTION 3. Chapter 6A of the General Laws, as so appearing, is hereby amended by
30 striking out section 18 and inserting in place thereof the following section:-

31 Section 18. The following state agencies are hereby declared to be within the executive
32 office of public safety and security: the department of public safety; the department of fire
33 services; the office of grants and research and the highway safety division; the municipal police
34 training committee; the criminal history systems board; the Massachusetts public safety
35 information center, the state 911 department; the department of state police; the office of the chief
36 medical examiner; the Massachusetts emergency management agency; the military department;
37 the department of correction, including the parole board; the sex offender registry board; and all
38 other agencies and boards within said departments, committees, centers and boards.

39 SECTION 4. References in any general or special law to the criminal history systems board
40 or the executive director thereof, except for the references in sections 171, 172, 172A, 172C,
41 172E, 172G, 172H, 172I, 172J, 173, 175, 176 and 178A of chapter 6 and in section 38R of
42 chapter 71, shall be deemed to refer to the Massachusetts public safety information center or its
43 commissioner.